

11185. Misbranding of Dr. DeWitt's eclectic cure and Dr. DeWitt's liver, blood, and kidney remedy. U. S. v. 2 Dozen Bottles, et al., of Dr. DeWitt's Eclectic Cure and 9 Bottles, et al., of Dr. DeWitt's Liver, Blood, and Kidney Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16450, 16451, 16452, 16453, 16454, 16455, 16462, 16463, 16464, 16472, 16473, 16474. S. Nos. E-3966, E-3976, E-3979, E-3980, E-3981, E-3984, E-3985, E-3986.)

On June 23, 26, and 27, 1922, respectively, the United States attorney for the Eastern District of North Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15½ dozen bottles of Dr. DeWitt's eclectic cure and 7½ dozen bottles of Dr. DeWitt's liver, blood, and kidney remedy, remaining in the original unbroken packages, in various lots, at Belhaven, Elizabeth City, Oriental, New Bern, Goldsboro, and Wilson, N. C., alleging that the articles had been shipped by the W. J. Parker Co., Baltimore, Md., between the dates of March 9 and 28, 1922, and transported from the State of Maryland into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The Dr. DeWitt's eclectic cure was labeled in part: (Bottle) "Cure * * * For Cramps, Colic and Diarrhoea * * * Indigestion * * * Horse Colic;" (carton) (English) "Cure * * * for Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, Sore Throat, &c. * * * Cholera * * * Cholera Morbus * * * Rheumatism and pains generally * * * Sprains or Frosted Feet," (French and other foreign languages) "Cure for the relief of pains of the Stomach and Intestines, Colics and intestinal Cramps and Diarrhoea;" (circular) (in shipping package) "Cure * * * for Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, Sore Throat, &c. * * * spasmodic attacks * * * Swelling of the Stomach * * * Sprains * * * Horse Colic * * * Chicken Cholera." The Dr. DeWitt's liver, blood, and kidney remedy was labeled in part: (Bottle and circular) "Recommended for Relief of Diabetes;" (bottle, carton, and circular) "Dr. DeWitt's Liver, Blood and Kidney Remedy * * * Recommended for Relief of Inflammation of the Bladder, Malaria, General Debility, Pains Under Shoulder Blades, Back and Sides And Diseases arising from Derangement of the Kidneys and Liver;" (carton only) "Blood Purifier and for Kidney and Liver Diseases."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the eclectic cure consisted of volatile oils, including peppermint and sassafras oils, spices, including capsicum and ginger, ether, 67 per cent of alcohol, and water, and that the liver, blood, and kidney remedy consisted of Epsom salt, extracts of plant drugs, including senna and buchu, a trace of iodid, 11 per cent of alcohol, and water.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements, designs, and devices, regarding the therapeutic or curative effects of the said articles, appearing in the labeling thereof, were false and fraudulent since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

On October 6, 10, 17, and 24, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

11186. Adulteration of shell eggs. U. S. v. 25 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16678. I. S. No. 3852-v. S. No. C-3704.)

On or about July 14, 1922, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of eggs at Sioux City, Iowa, alleging that the article had been shipped by the Farmers Union Cooperative Assoc., from Carroll, Nebr., on or about July 6, 1922, and transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason